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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,099	12/12/2003	Jane Smith Parker	190250-1710	1596
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AT & T LEGAL DEPARTMENT - GB			AL AUBAIDI, RASHA S	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>		<b>Application No.</b>	<b>Applicant(s)</b>
10/735,099		PARKER, JANE SMITH	
<b>Examiner</b>	<b>Art Unit</b>		
RASHA S. AL AUBAIDI	2614		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 14 January 2009.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-4, 6, 7, 9, 11, 13-16, 18, 19, 21, 23, 25-28, 30, 31, 33 and 35 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-4, 6-7, 9, 11, 13-16, 18-19, 21, 23, 25-28, 30-31, 33 and 35 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. This in response to amendment filed 01/14/2009. No claims have been added. Claims 5, 8, 10, 12, 17, 20, 22, 24, 29, 32, 34 and 36 have been canceled. Claims 1, 6-7, 9, 11, 13, 18-19, 21, 23, 25-28, 30-31, 33 and 35 have been amended. Claims 1-4, 6-7, 9, 11, 13-16, 18-19, 21, 23, 25-28, 30-31, 33 and 35 are still pending in this application.
2. The rejection of 35 USC § 101 is withdrawn.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-7, 9, 11, 13-16, 18-19, 21, 23, 25-28, 30-31, 33 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crockett (US PAT # 5,590,188) in view of Dhir et al. (US PAT # 6,714,642) and further in view of Leamon (6,970,829).

Regarding claim 1, Crockett teaches a workforce management system (see col. 1, lines 21-23), the system comprising: a processor (reads on call routing processor 12, as shown in Fig. 1); and a memory (the use of a memory is inherent in Crockett)

containing a work force planning program (this reads on the software making the decision procedure from the received information, see for example, step 22 in Fig. 2 and col. 7, lines 30-34), that when executed, causes the workforce management system to: obtain from a communication switch (element 14, Fig.1), a first call history statistic of a first period of time (this reads on the information provided by the switch to the call routing processor, which is called the "status data", see col. 5, lines 2-23. Also, for the claimed feature of "history statistic", this basically reads on the switch within the network providing information traffic information to the call routing processor, this information may be provided periodically or per call bases, see for example col. 13, lines 15-63); obtain from a call center a, a first work-history statistic of the first period of time (this reads on receiving and calculating the "estimated answer delay" based on previous information (i.e., statistics) received from the call center, see col. 8, lines 4-16 and col. 14, lines 13-15), process at least one of the first call -history statistic and the first work-history statistic (this reads on the software making the decision procedure from the received information, see for example, step 22 in Fig. 2 and col. 7, lines 30-34).

Crockett does not specifically teach that "the first call history being generated by and stored within the communication switch" as recited in the claim language.

However, Dhir teaches in a system and method for call decision a central server system 100 store transaction and history data reflecting activity on a call routing system (see Fig. 1 and corresponding text).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of having one main server to store transaction history and other data reflecting the activities on a call center, as taught by Dhir, into the Crockett's system in order to enhance the efficiency of tracking history information and generating rules and decision based on these information. Obviously it is easier to have one main central database that stores all these information from the call center(s) instead of having several databases.

The combination of Crockett and Dhir does not explicitly teach is to "generate a performance report comprising a first past performance statistic".

However, Leamon, in a workforce contact center environment that creates schedules and monitors call center activities, a report will be generated that reflects the scheduling and additional information necessary to manage the call center (see for example, col. 4, line 67 and col. 5, lines 1-3).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of "generating report", as taught by Leamon, into the combination of Crockett and Dhir in order to enhance the system's efficiency by recording all activities and information received and processed for routing and distributing calls within the call center, and presenting a summary for these

activities. The summary of the report maybe used for numerous reasons such as future planning for load balancing, agent skills, call types ...etc. Also, the claimed feature of "process the first work-planning input together with the first report; and logic configured to generate a forecast report comprising a first predictive workforce statistic" is already taught by Leamon (see col. 4, lines 49-67 and col. 5, lines 1-2).

Claims 13 and 25 are rejected for the same reasons as discussed above with respect to claim 1.

Regarding claims 2, 14 and 26, Leamon teaches the first call-history statistic comprises a total number of calls routed by the communication switch to the call center over the first period of time (see col. 19, lines 26-34).

Regarding claims 3, 13 and 27, Leamon teaches the first call-history statistic comprises a total number of a first type of calls routed by the communication switch to the call center over the first period of time (see col. 19, lines 26-34).

Regarding claims 4, 16 and 28, Leamon teaches the first work-history statistic comprises an actual work time of the call center over the first period of time, and the first past performance statistic is a first workforce occupancy (this reads on the schedule of the day, see col.10, lines 64-67 and col. 11, lines 1-4).

Regarding claims 6, 18 and 30, Leamon teaches the first work-planning input comprises at least one of a first number of operators over a first forecast period, a change in call volume over the first forecast period, an attendance statistic of the first number of operators over the first forecast period, and a performance statistic of the first number of operators over the first forecast period (see 5, lines 61-67).

Regarding claims 7, 19 and 31, Leamon teaches the first predictive workforce statistic comprises at least one of an actual work time of a first number of operators over a first forecast period, an occupancy of the first number of operators over the first forecast period, and a forecast of a number of operators required for call handling during the first forecast period. See col. 4, lines 39-44 and col. 19, lines 35-40.

Regarding claims 9, 21 and 33, Leamon teaches the first work-planning input comprises a first number of operators during a first forecast period and a second number of operators during a second forecast period (see col. 5, lines 31-52).

Regarding 11, 23 and 35, Leamon teaches the first work-planning input comprises a first number of operators having a first level of performance during a first forecast period and a second level of performance during a second forecast period (see col. 5, lines 31-52).

***Response to Arguments***

4. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Rasha S AL-Aubaidi/  
Primary Examiner, Art Unit 2614